



# ANNUAL REPORT

## FISCAL YEAR 2005-2006



**Arnold Schwarzenegger**  
Governor of California

## Victim Compensation and Government Claims Board Members



**Rosario Marin**  
Secretary of the State and Consumer Services Agency,  
and Board Chair

Ms. Marin was appointed to Governor Arnold Schwarzenegger's cabinet as Secretary of the State and Consumer Services Agency on January 31, 2006. She previously chaired the California Integrated Waste Management Board. Ms. Marin has dedicated her life to public service. She has held numerous civic positions and is the former Mayor of the City of Huntington Park, as well as the 41st Treasurer of the United States.



**Steve Westly**  
State Controller and Board Member

State Controller Steve Westly serves as a member of the Board. Elected State Controller in 2002, Mr. Westly previously held positions in local, state and federal government, as well as serving as a top corporate officer for the online auction company eBay.



**Michael A. Ramos**  
San Bernardino County District Attorney and Board Member

Mr. Ramos was appointed to the Board on January 23, 2004, by Governor Arnold Schwarzenegger. Mr. Ramos was elected San Bernardino County District Attorney in 2002, and re-elected in 2006. Previously, he served as a deputy district attorney in San Bernardino County for 13 years, four of which were in the Major Crimes Unit.

## VCGCB Executive Officer



**Karen McGagin**

Ms. McGagin began her tenure as the Board's Executive Officer in May 2004. From 1997 to 2000, Ms. McGagin chaired the Board on behalf of the Director of the Department of General Services. Previously, she held a variety of positions with the Department of General Services and the Department of Consumer Affairs.

## FROM THE EXECUTIVE OFFICER

The Victim Compensation and Government Claims Board delivers a wide range of services to the people of California. From the most vulnerable victims of violent crime to those who file claims against the state, the Board provides a diverse array of assistance to those who turn to us for help.

The Board's Victim Compensation Program (VCP) reimburses victims for crime-related losses. In Fiscal Year 2005-06, the VCP approved more than 43,000 victim compensation claims and paid \$66 million for victim benefits. Additionally, the Board successfully launched a robust, web-based claims management system that brings the VCP into the 21st Century. With this technology, the Board is on its way to paperless processes and unprecedented high levels of customer service.

Through partnerships with counties and other state agencies to collect court-ordered restitution from offenders, the Board helped thousands of victims benefit from their right to restitution provided in California's Crime Victims' Bill of Rights. During the fiscal year, we collected nearly \$60 million in restitution fines and fees from offenders that in turn funded compensation for victims.

Also providing valuable assistance to the people of California is the Board's Government Claims Program (GCP). During Fiscal Year 2005-06, the GCP helped more than 6,000 claimants with the processing of their claims against the state. This year also saw the GCP move from a General Fund program to a self-funded program. No longer does the GCP depend upon taxpayer dollars to support its operations, but rather it generates its own revenue through filing fees and a surcharge.

To provide guidance and consistency to ensure ongoing success of current and future initiatives, the Board developed a new, comprehensive strategic plan to set goals and focus the organization on excellence in customer service.

Without a doubt, 2005-06 was a banner year setting a solid foundation for the future successes of the Board. With this in mind, I am pleased to present to you this annual report.

Karen McGagin  
Executive Officer

# TABLE OF CONTENTS

Vision, Mission and Strategic Plan.....	1
Who We Are, What We Do: Programs and Responsibilities.....	2
Additional Functions.....	3
Major Achievements in 2005-2006.....	4
The Victim Compensation Program.....	5
Applications by Type of Crime.....	5
Victim Compensation Program Financial Summary.....	5
Program Information and Partners.....	6
Applications Received by Claimant Type.....	7
Compensation Paid by Type of Expense.....	7
Compensation Paid by Joint Powers Verification Units.....	8
Compensation Paid and Applications Received by County Where the Crime Occurred.....	9
The Government Claims Program.....	11
Claims Summary.....	11

## OUR VISION, MISSION AND STRATEGIC PLAN

### Vision

Excellence as our standard.

### Mission

To serve our claimants and stakeholders through effective assistance and timely resolution of claims.

We carry out our mission in the following ways:

- Ensuring that claims are handled promptly, fairly, and consistently.
- Educating the public and partnering with our stakeholders to ensure public access to services.
- Using the best technology available to provide accurate and timely resolution of claims.
- Working with partners in the victim services community to ensure that victims have access to all information and resources available to them.
- Maintaining the fiscal stability of the VCGCB to ensure that the Restitution Fund is stable and that current and future needs of victims are met, and that the Government Claims Program has sufficient financial support to meet its needs.

### Strategic Plan

After a comprehensive process that involved all VCGCB staff, the VCGCB rolled out a new Strategic Plan that will serve as our road map to future successes. The plan outlines four strategic goals: excellence in customer service; continued funding stability; excellence in information technology; and positive workplace environment. Each goal is further defined with specific objectives and an operational plan that is regularly updated with revised implementation steps.

# WHO WE ARE, WHAT WE DO

## Responsibilities of the Victim Compensation and Government Claims Board

The three-member Victim Compensation and Government Claims Board provides oversight for the many programs and functions entrusted to this department within California's State and Consumer Services Agency. The VCGCB's diverse portfolio of responsibilities includes the following programs:

### The Victim Compensation Program

The Victim Compensation Program provides compensation for victims of violent crime who are injured or threatened with injury. Among the crimes covered are domestic violence, child abuse, sexual and physical assault, homicide, robbery, drunk driving and vehicular manslaughter. If a person meets eligibility criteria, the program will compensate many types of services when the costs are not covered by other sources. Eligible services include medical and dental care, mental health services, income loss, funeral expenses, and relocation. Funding for the program comes from restitution fines and orders, penalty assessments levied on persons convicted of crimes and traffic offenses, and federal matching funds.



### The Government Claims Program

The Government Claims Program helps resolve claims against State agencies and employees for monetary damages. In most cases, a person who is considering suing the state is required to first seek an administrative remedy by filing a claim with the VCGCB. Typical claims involve state vehicle accidents, contract disputes, and damage to property. When a claim is received, program staff investigate and make a recommendation to the Board regarding the disposition of the claim. The Board either rejects the claim or orders the responsible state agency to pay the claim. Payment may either come from the agency's existing budget or through an annual legislative appropriation. In 2004, the program became self-funded, supported by a \$25 filing fee and a surcharge paid by state agencies on approved claims.

### Revenue Recovery

A highly effective revenue recovery staff focuses on collecting restitution payments and reimbursements. Through innovative efforts, the VCGCB has created partnerships that increase the likelihood of restitution collection and established practices that result in efficient recovery of payments when other sources are available to the victims to cover crime-related losses. One key restitution program funds positions in counties to work with the district attorneys, probation officers and courts to ensure that restitution is ordered in all applicable cases. The VCGCB also funds positions in the California Department of Corrections and Rehabilitation to collect on restitution orders, and works closely with the Franchise Tax Board through its court ordered debt program. Through these methods, the VCGCB receives an average of \$5.2 million a month in restitution payments.

## ADDITIONAL FUNCTIONS

### Bid Protests

California law provides that an unsuccessful bidder may protest the award of a state contract, if the bidder believes they were the low bidder meeting specifications or should have been selected based on the selection criteria in the bid request document. Protests are filed with the Department of General Services (DGS), which forwards them to the Board. Protests are assigned to a hearing officer, who prepares a proposed decision or recommendation for consideration by the Board.

### Claims of Erroneously Convicted Felons

Under California law, a person erroneously convicted of a felony and incarcerated in a California state prison may file a claim for compensation for lost income with the VCGCB within six months from the date he or she was acquitted, pardoned, or released from imprisonment. In order to be successful, the person filing the claim must prove the following three elements by a preponderance of the evidence: (1) he or she did not commit the crime or that the crime never took place; (2) he or she did not intentionally or negligently contribute to his or her arrest or conviction; and (3) he or she suffered a monetary loss because of the incarceration. If the claim is granted, the Board will make a recommendation for a legislative appropriation in the amount of \$100 for each day of incarceration served after conviction. The payments come from the State General Fund.

### California State Employees Charitable Campaign

The Board assists with the administration of the California State Employees Charitable Campaign. This campaign provides a single, coordinated fund-raising drive that allows state workers to direct regular contributions from their paychecks to any of the hundreds of participating charitable organizations. Each year, the Board certifies the eligibility of charities and selects organizations to manage the campaign in various regions throughout the state.

### Compensation for Good Samaritans

The Board administers the provisions of California law that provide for compensation to Good Samaritans who suffer injury or loss as a result of their efforts to prevent a crime, apprehend a criminal, or rescue a person in immediate danger of injury or death. The immediate family or dependents of a Good Samaritan who dies as a direct result of their meritorious actions can also seek compensation.

To qualify, the Good Samaritan must be a member of the public, not a public-safety worker acting within the course and scope of their employment, and must not have received compensation otherwise. The claim must include information such as details regarding the meritorious actions and losses suffered, and it must be supported by a statement from a public safety or law enforcement agency. Such an agency can also file a claim for compensation on behalf of the Good Samaritan or survivors. Claims cannot exceed \$10,000.

### Legislative Per Diem

California law requires the Board to establish daily living expense compensation rates (commonly known as per diem) for members of the Legislature that are not less than the rate provided to federal employees traveling to Sacramento. The per diem rates for members of the Legislature are changed whenever the federal rates change.

### Missing Children Reward Program

The California Legislature created the Missing Children Reward Program to assist local law enforcement agencies and other parties involved in the identification and recovery of missing children in California.

The program allows rewards of up to \$500 for individuals providing information leading to the location of any child listed in the California Department of Justice (DOJ) Missing Persons System database. Awards are made upon the recommendation of the DOJ. As a condition to the award, an amount equal to or greater in non-state funds must first have been offered for information leading to the location of the missing child.

### Travel Expenses for Elected State Officials and Judicial Branch Employees

The Board sets the rates at which elected state officials and employees of the judicial branch are compensated for travel expenses.



## MAJOR ACHIEVEMENTS IN 2005-2006

During the 2005-06 fiscal year, the VCGCB undertook a number of initiatives that made an immediate difference in operations or laid the foundation for the organization's future success. The significant achievements summarized below contributed to the VCGCB's mission of serving claimants and stakeholders effectively and efficiently.



The VCGCB launched the California Compensation and Restitution System (CaRES), an automated claims processing system that improves service to victims and providers through advanced technology. The system "went live" on June 30, 2006, followed by a phased-in implementation of different components and enhancements. When fully implemented, CaRES is expected to generate technology savings of \$1.5 million per year and result in improved customer service through faster claims processing, an enhanced problem-resolution capability and instant access to paperless claim records.

- **Victim Compensation Program**

The three-member Board expanded access to care for victims by increasing reimbursement rates for mental health providers, increasing the number of mental health sessions, and raising funeral/burial benefits. Claim payments increased 12 percent, to \$66 million, compared to \$58.9 million in the prior fiscal year. In addition, the program streamlined processes, resulting in a 14 percent decrease in the average eligibility determination time, from 74 days in FY 04-05 to 64 days in FY 05-06. Compared to the prior fiscal year, the pending claim inventory was reduced by 18 percent and the pending bill inventory by 19 percent.

- **Revenue Recovery**

The VCGCB received an average of \$5.2 million a month in restitution collections because of expanded partnerships with counties, the Franchise Tax Board, and the California Department of Corrections and Rehabilitation (CDCR). The VCGCB partners with CDCR to focus on restitution collection from offenders. Criminal Restitution Compacts will be expanded from 21 to 25 in FY 06-07, strengthening our working relationships with state district attorneys. This partnership will increase the imposition of restitution orders through coordination with prosecutors, probation officials and the courts.

- **Government Claims**

Claims made against State agencies have decreased almost 40 percent – from more than 10,000 claims in 2002-03 to 6,130 claims in 2005-06. This reduction is a result of legislation signed by Governor Schwarzenegger in 2004 that requires the Government Claims Program to be self-funded rather than use General Fund resources. All claims must now be accompanied by a \$25 filing fee, which is refunded by the affected agency for approved claims and can be waived for the financially indigent. The goal of the \$25 filing fee was to reduce frivolous claims and save taxpayers money. In addition, a surcharge is assessed on departments when claims are approved.

- **California State Employees Charitable Campaign**

The VCGCB received applications from more than 2,700 charities and verified their eligibility to participate in the California State Employees Charitable Campaign. Through the 2006 campaign, state employees donated \$12.8 million to various charitable organizations.

- **Move to New Offices**

After completing a relocation assessment, the VCGCB selected space at 400 R Street in Sacramento that not only provides a more efficient work environment but also will save nearly \$400,000 a year in leasing costs. The new site will unify all employees on two floors, increasing opportunities for collaboration, and will provide an upgraded technology infrastructure. The move will be completed in January 2007.



## VICTIM COMPENSATION PROGRAM APPLICATIONS BY TYPE OF CRIME

Type of Crime	Number of Victims
Assault	20,485
Child Physical & Sexual Abuse	11,399
Homicide	5,377
Sexual Assault - Adult	2,832
Other Crimes	2,819
Robbery	1,783
Other Vehicle Crimes	1,190
Driving Under the Influence	982
<b>Total:</b>	<b>46,867</b>

## VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD FINANCIAL SUMMARY

<b>BEGINNING BALANCE</b>	<b>\$81,084,000</b>
<b>PROGRAM COSTS</b>	
<b>*TOTAL CLAIMS PAYMENTS</b>	<b>\$66,692,715</b>
Operating Expenses	\$41,619,056
Restitution Collection Rebate Program	\$5,498,053
<b>REVENUE</b>	
Federal VOCA Grant	\$23,970,683
Restitution Fines, Fees, and Orders	\$59,915,419
Prisoner Restitution Fines Collected	\$3,796,064
Other Revenue	\$210,162
Penalty Assessments	\$49,776,085
Vehicle Crime Conviction Collections	\$2,604,634
<b>Balance Forward to FY 2006/2007</b>	<b>\$107,547,223</b>

---

\*Total Claims Payments amount includes returned checks and payments. Some returned checks are subsequently reissued. The amount of total claims payments shown on pages 7 and 10 (\$66,017,750) excludes the reissued payments incorporated in this figure.

## VICTIM COMPENSATION PROGRAM

The Victim Compensation Program can help pay unreimbursed expenses that result when a violent crime occurs.

- **Where:** The crime occurs in California or involves a Californian who is out of state or out of the country when the crime occurs.
- **Who:** Victims of crime and “derivative victims” may be eligible for assistance. A “derivative victim” is an individual who suffers an economic loss or expense as a result of injury or death to a victim. “Derivative victims” may include a spouse or domestic partner, child, parent, sibling, grandparent, grandchild or someone who lives in the household.
- **When:** People may apply for benefits when they have suffered a physical injury or threat of physical injury, such as domestic violence, child abuse, assault, sexual assault, molestation, homicide, robbery, drunk driving, vehicular manslaughter or other crimes that result in physical injury or threat of injury.
- **What:** The program may assist with the cost of medical and dental treatment, mental health services, funeral and burial expenses, home security, residential crime scene cleanup and emergency relocation. If a person is disabled as a result of the crime, the program also assists with wage loss, dependent support loss, job retraining and home or vehicle modifications.
- **How:** If a crime results in physical injury or involves the threat of physical injury, a claimant may be eligible for assistance if he or she meets statutory criteria. These criteria include non-involvement in the crime and cooperation with law enforcement.

## OUR PARTNERS

To ensure that victims and family members are aware of the Victim Compensation Program and receive assistance in applying for funds, the VCGCB works closely with partners throughout the state, including prosecutors’ offices, law enforcement agencies, probation departments and nonprofit health care providers. There are 59 Victim Witness Assistance Centers – one in each county and one in the City of Los Angeles – that can assist victims in applying for compensation. In addition, the VCGCB has 21 joint powers agreements with 20 counties that assist in processing claims.

The resources to assist victims do not come from tax revenues. Rather, funding for the Victim Compensation Program comes from restitution fines, orders and penalty assessments levied on persons convicted of crimes and traffic offenses in California. In addition, the program is supported by an annual federal grant that comes from restitution paid by offenders in federal courts.

To make more funding available for victim compensation, the VCGCB focuses on increasing the collection of restitution by collaborating with the Franchise Tax Board and partnering with the California Department of Corrections and Rehabilitation. In addition, Criminal Restitution Compacts have been established to provide staff to work closely with prosecutors, probation departments and courts to obtain restitution orders during the sentencing process. The VCGCB also disseminates information broadly and provides training to partner agencies to enhance expertise in obtaining restitution.

# VICTIM COMPENSATION PROGRAM

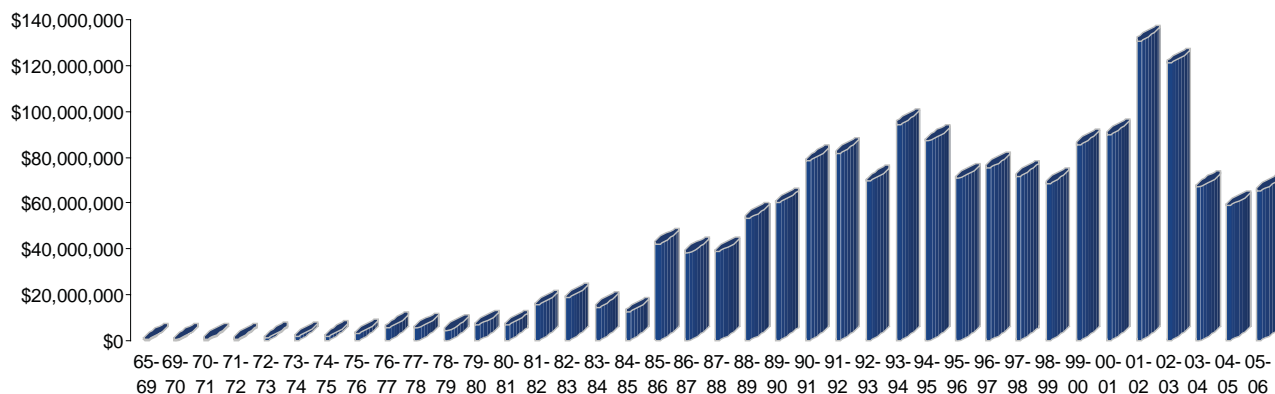
## Applications Received by Claimant Type

Total Applications	46,867	%
Direct Victims	36,695	78%
Derivative Victims*	10,172	22%
Female Claimants	28,716	61%
Male Claimants	18,151	39%
Adult Claimants	28,561	61%
Minor Claimants	18,306	39%
Domestic Violence Claims	12,538	27%
Claimants From Victim Witness Assistance Centers	37,080	79%
Claimants With Attorney Representation	1,568	3%
Claimants Filing Directly	8,219	12%

## Compensation Paid by Type of Expense

	FY 02-03	FY 03-04	FY 04-05	FY 05-06
Medical & Dental	34,695,504	21,018,449	21,045,759	24,658,937
Mental Health	39,901,657	19,752,800	14,386,032	14,559,357
Lost Wages or Support	22,260,700	14,190,531	11,934,542	12,035,149
Funeral/Burial	13,961,828	8,474,168	8,347,945	10,291,055
Other Expenses**	6,210,329	3,602,439	3,179,457	4,473,252
<b>Total</b>	<b>\$117,030,018</b>	<b>\$67,038,387</b>	<b>\$58,893,735</b>	<b>\$66,017,750</b>

## Payments By Fiscal Year



\* "Derivative victims" are individuals who suffer an economic loss or expense as a result of injury or death to a victim.

\*\* "Other Expenses" include rehabilitation, relocation, and attorney payments.

## VICTIM COMPENSATION PROGRAM

### Compensation Paid by Joint Powers Verification Units

The VCGCB contracts with 20 counties to operate 21 Joint Powers verification units in local Victim Witness Assistance Centers. Staff in verification units review applications and process compensation payments. Listed below is the total compensation awarded by each of the verification units during the past four fiscal years.

	FY 02-03	FY 03-04	FY 04-05	FY 05-06
Alameda County	\$5,245,209	\$2,507,696	\$2,732,200	\$3,177,738
Butte County	794,428	503,605	544,953	551,834
Contra Costa County	1,817,131	604,180	115,356	N/A*
El Dorado County	595,692	352,601	247,482	229,936
Humboldt County	634,851	323,228	247,176	192,203
Los Angeles City	9,022,941	4,719,667	4,905,403	5,231,861
Los Angeles County	15,540,217	9,645,047	8,367,961	10,435,777
Orange County	3,454,496	2,108,188	1,604,362	1,833,714
Placer County	1,223,650	568,644	671,499	899,827
Riverside County	4,097,414	2,646,679	2,648,526	3,259,564
Sacramento County	3,175,596	2,064,930	1,752,154	2,166,634
San Bernardino County	4,321,388	2,705,287	3,157,448	3,362,821
San Diego County	2,914,289	1,856,640	1,684,413	1,784,897
San Francisco County	2,865,648	1,771,081	1,820,323	2,395,234
San Joaquin County	4,065,513	2,912,302	3,109,861	2,680,090
San Luis Obispo County	663,907	323,824	414,660	562,947
Santa Barbara County	1,042,951	500,283	489,653	702,433
Santa Clara County	5,288,081	2,873,286	2,254,743	3,409,044
Santa Cruz County	1,137,438	557,902	654,823	1,069,638
Shasta County	2,193,185	1,346,452	1,404,133	1,054,070
Sonoma County	1,228,311	468,516	382,364	372,341
Tulare County	657,117	355,351	427,615	559,441
<b>Verification Unit Totals</b>	<b>\$71,979,453</b>	<b>\$41,715,389</b>	<b>\$39,637,108</b>	<b>\$45,932,044</b>

NOTE: The table above reflects the total payments made by that county verification unit. Please note that some verification units may process applications for neighboring counties. Therefore, the county totals on this page may differ from those on pages 9-10.

\*Contra Costa County is no longer a JP Verification Unit.

## VICTIM COMPENSATION PROGRAM

### Compensation Paid and Applications Received by County Where the Crime Occurred

	FY 02-03 Compensation	FY 03-04 Compensation	FY 04-05 Compensation	FY 05-06 Compensation	Applications Received
Alameda	\$6,763,289	\$3,171,985	\$2,962,101	\$3,383,261	2,711
Alpine	10,272	0	0	9,839	2
Amador	74,460	35,213	43,199	16,898	60
Butte	725,804	416,811	464,701	445,961	477
Calaveras	114,300	79,101	82,917	57,020	54
Colusa	24,425	25,898	23,457	51,305	52
Contra Costa	3,251,430	1,993,430	1,923,928	1,839,922	1,022
Del Norte	161,941	69,684	62,063	48,598	105
El Dorado	548,155	346,443	196,466	197,639	251
Fresno	1,343,517	1,059,784	1,049,435	822,439	780
Glenn	78,188	38,359	47,687	32,236	129
Humboldt	671,723	342,157	246,930	199,115	334
Imperial	111,983	78,695	63,888	173,648	67
Inyo	110,010	63,677	54,677	55,283	38
Kern	1,410,319	857,597	1,419,731	1,030,744	879
Kings	180,654	45,528	100,411	158,291	420
Lake	544,338	181,813	93,614	186,282	301
Lassen	108,790	48,610	22,731	27,835	23
Los Angeles	39,709,393	23,012,954	19,249,612	21,090,828	9,672
Madera	156,277	136,711	148,556	157,538	186
Marin	669,675	215,788	209,003	279,854	271
Mariposa	50,279	22,330	9,656	19,784	27
Mendocino	399,391	187,069	109,032	151,217	187
Merced	535,967	540,766	643,065	330,659	612
Modoc	22,575	6,349	7,115	2,552	10
Mono	44,779	21,536	10,928	2,860	12
Monterey	1,183,318	660,535	603,438	861,838	632
Napa	398,332	211,601	110,659	111,512	213
Nevada	243,932	136,652	117,095	171,049	80
Orange	5,037,521	3,000,185	2,145,123	2,506,499	1,698

(Continued on page 11)

NOTE: The charts on pages 9-10 indicate the total compensation paid and applications received by the county where the crime occurred. Some applications may be processed by a Joint Powers Verification Unit outside of the county where the crime occurred. Therefore, the charts on pages 9-10 may differ from the chart on page 8.

## VICTIM COMPENSATION PROGRAM

### Compensation Paid and Applications Received by County Where the Crime Occurred

	FY 02-03 Compensation	FY 03-04 Compensation	FY 04-05 Compensation	FY 05-06 Compensation	Applications Received
Placer	833,183	469,362	379,018	408,449	623
Plumas	19,753	46,527	1,890	15,304	11
Riverside	4,443,627	2,640,173	2,676,820	3,269,127	2,077
Sacramento	4,594,559	2,545,630	2,187,938	2,464,937	1,959
San Benito	116,196	73,534	45,432	75,237	50
San Bernardino	5,108,694	3,409,507	3,650,801	3,841,286	2,829
San Diego	8,665,375	5,332,621	3,910,274	4,742,017	3,132
San Francisco	3,961,470	2,401,764	2,404,941	3,387,347	1,855
San Joaquin	1,788,831	1,382,103	1,388,179	1,746,498	1,674
San Luis Obispo	703,235	328,498	396,878	498,700	426
San Mateo	1,538,769	989,792	761,488	1,109,438	737
Santa Barbara	1,105,809	525,182	491,084	647,211	582
Santa Clara	5,139,063	2,645,845	2,519,914	3,108,162	3,045
Santa Cruz	1,157,103	627,821	414,343	593,654	456
Shasta	1,734,376	988,633	1,110,296	706,839	1,450
Sierra	25,555	12,908	16,077	48,299	11
Siskiyou	311,382	91,870	57,151	80,086	165
Solano	1,409,034	590,560	377,054	411,983	589
Sonoma	1,380,917	515,526	447,667	404,547	592
Stanislaus	1,229,492	601,856	516,263	752,410	550
Sutter	279,039	195,345	121,247	128,547	120
Tehama	332,647	160,792	107,564	84,884	123
Trinity	61,204	30,579	33,043	44,562	47
Tulare	730,573	368,629	469,914	655,948	579
Tuolumne	126,982	97,337	140,216	119,853	222
Ventura	2,118,426	1,443,367	1,157,743	1,117,973	842
Yolo	601,942	212,861	153,341	303,205	198
Yuba	253,653	170,236	139,555	242,175	366
Non-CA, Other	2,574,091	1,132,268	419,385	586,566	252
<b>TOTAL</b>	<b>\$117,030,017</b>	<b>\$67,038,389</b>	<b>\$58,716,734</b>	<b>\$66,017,750</b>	<b>46,867</b>

## GOVERNMENT CLAIMS PROGRAM

The Government Claims Program processes claims against the State for money or damages. This function was vested with the State Board of Control – the predecessor to today's VCGCB – in 1911. In general, anyone who wishes to file a lawsuit against the State or its employees for damages must first pursue an administrative remedy through the claims process. Only if the claim is rejected may someone take their claim to court.

When the Government Claims Program receives a claim, staff members determine if it meets criteria for sufficiency, jurisdiction and timeliness. Often, the program works closely with the department involved to obtain more information and determine if the matter can be settled without litigation. If a settlement is not reached, staff members rely on their investigation of the facts and on input from the

affected department to form a recommendation. The three-member Victim Compensation and Government Claims Board acts on the recommendation during a public meeting where those involved in the claim are invited to offer further testimony.

If a claim is approved, the affected department pays the claim from existing funds or payment may be made through an annual omnibus claims bill approved by the Legislature and signed by the Governor. If the claim is denied, the claimant may pursue the matter in court.

Prior to August 2004, the administrative budget for the Government Claims Program came from the State's General Fund. Legislation signed into law converted the program to self-funding, established a \$25 filing fee and provided a surcharge of up to 15 percent that is paid by a department when a claim is approved. Claimants who are unable to pay the filing fee may apply for a waiver.

### Claims Summary

	FY 02-03	FY 03-04	FY 04-05	FY 05-06
<b>Number of Claims Received</b>	<b>10,191</b>	<b>9,452</b>	<b>8,751</b>	<b>6,130</b>



**Victim Compensation and Government Claims Board  
P.O. Box 48  
Sacramento, CA 95812-0048**

**Victim Compensation: 800.777.9229  
Government Claims: 800.955.0045**

To obtain additional copies of this report, contact:  
Victim Compensation and Government Claims Board  
Phone: 916.491.6400  
E-mail: [info@vcgcb.ca.gov](mailto:info@vcgcb.ca.gov)  
Downloadable pdf: [www.vcgcb.ca.gov](http://www.vcgcb.ca.gov)  
800.777.9229